

# SENATE RECORD VOTE ANALYSIS

105th Congress  
2nd Session

Vote No. 262

September 9, 1998, 9:47 a.m.  
Page S-10059 Temp. Record

## MISSILE DEFENSE FOR AMERICAN CIVILIANS/Cloture, Motion to Proceed

**SUBJECT:** American Missile Protection Act of 1998 . . . S. 1878. Lott motion to close debate on the motion to proceed.

### ACTION: ACTION: CLOTURE MOTION REJECTED, 59-41

**SYNOPSIS:** As reported, S. 1873, the American Missile Protection Act of 1998, will make it "the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate)." The Act will also make numerous findings, including: several adversaries of the United States have stated their intent to acquire ballistic missiles capable of attacking the United States and their willingness to use them; over 30 non-North Atlantic Treaty Organization (NATO) countries possess ballistic missiles, with at least 10 of those countries developing over 20 new types of ballistic missiles; since 1980, thousands of ballistic missiles have been fired in at least six different conflicts; North Korea is currently deploying a 1,000-kilometer range missile, and is developing a 6,000-kilometer range missile that will be able to strike Hawaii and Alaska; Iran is developing a 2,000-kilometer range missile that will be able to reach as far as Central Europe; Iraq, in a 2-year crash program, has produced a new missile with twice the range of its Scud Bs; experience gained from extending the range of missiles will facilitate the development of intercontinental ballistic missiles (ICBMs); the technical information, resources, and hardware needed to build ballistic missiles are increasingly available and accessible worldwide; Russia and China continue to engage in missile proliferation; the inability of the United States to defend itself against weapons of mass destruction delivered by long-range ballistic missiles gives an extra incentive to hostile nations to develop such missiles; last year, the Director of Central Intelligence testified that Iran would have a medium-range missile by 2007, and this year, after Iran demonstrated advanced missile capabilities, he changed that estimate to "much sooner than I estimated last year," and State Department officials said Iran could have such missiles by the end of this year; an attack on the United States with a ballistic missile equipped with a weapon of mass destruction could inflict catastrophic death or injury to citizens of the United States and severe damage to their property; a rogue state with ICBMs may be able to deter the United States from defending its or its allies' interests; the United States must be prepared for the fact that rogue nations may acquire long-range ballistic missiles armed with weapons of mass destruction; and the United States has no defense deployed against weapons of mass destruction delivered by long-range ballistic missiles and no policy to deploy such a national missile defense system.

YEAS (59)			NAYS (41)		NOT VOTING (0)	
Republicans (55 or 100%)	Democrats (4 or 9%)		Republicans (0 or 0%)	Democrats (41 or 91%)	Republicans (0)	Democrats (0)
Abraham	Hutchinson	Akaka		Baucus		
Allard	Hutchison	Hollings		Biden		
Ashcroft	Inhofe	Inouye		Bingaman		
Bennett	Jeffords	Lieberman		Boxer		
Bond	Kempthorne			Breaux		
Brownback	Kyl			Bryan		
Burns	Lott			Bumpers		
Campbell	Lugar			Byrd		
Chafee	Mack			Cleland		
Coats	McCain			Conrad		
Cochran	McConnell			Daschle		
Collins	Murkowski			Dodd		
Coverdell	Nickles			Dorgan		
Craig	Roberts			Durbin		
D'Amato	Roth			Feingold		
DeWine	Santorum			Feinstein		
Domenici	Sessions			Ford		
Enzi	Shelby			Glenn		
Faircloth	Smith, Bob			Graham		
Frist	Smith, Gordon			Harkin		
Gorton	Snowe			Johnson		
Gramm	Specter					
Grams	Stevens					
Grassley	Thomas					
Gregg	Thompson					
Hagel	Thurmond					
Hatch	Warner					
Helms						

**EXPLANATION OF ABSENCE:**  
1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

**SYMBOLS:**  
AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

On September 3, 1998, Senator Lott sent to the desk, for himself and others, a motion to close debate on the motion to proceed.

NOTE: A three-fifths majority (60) vote is required to invoke cloture. This vote was the second attempt to invoke cloture on the motion to proceed (see vote No. 131). On the first attempt to invoke cloture, 59 Senators voted in favor. All of the Senators who opposed cloture were Democrats. Since that vote, the following events have occurred: Pakistan has conducted 6 nuclear tests; North Korea has announced that it has sold, and will continue to sell, ballistic missiles and technology to any interested buyer; Iran has flight-tested a medium-range ballistic missile (the Shahab-3, which has a range of 800 miles to 940 miles, and which was built with North Korean, Russian, and Chinese assistance); press reports indicate that Iran is working on the Shahab-4, with a range of 1,240 miles; a congressionally mandated, bipartisan commission (the Rumsfeld Commission) concluded that a number of nations hostile to the United States may acquire the capability of striking the United States with missiles armed with weapons of mass destruction within 5 years, and that the United States may get little or no warning of the development of such missiles before they are deployed; North Korea has flight-tested a two-stage ballistic missile over Japan (the Taepo Dong I missile; military experts say that testing a two-stage missile was the last significant technological hurdle North Korea faced in developing an intercontinental ballistic missile); North Korea has reportedly built a huge, secret complex at which 15,000 people are working to make nuclear weapons; and *Jane's Strategic Weapons Systems* has reported that North Korea is working on the Taepo Dong II missile, which will have a range of 3,750 miles and which will be able to strike Alaska.

**Those favoring** the motion to invoke cloture contended:

The Senate tried to invoke cloture on the motion to proceed to this bill just 4 months ago. Only 4 Democrats had the courage to vote against their party line on the last cloture vote. Every other Democrat backed the President's bankrupt policy of leaving American civilians utterly, completely defenseless from ballistic missile attacks. If only one more Democrat had voted to defend Americans, we would have had the 60 votes we needed to invoke cloture and we could have debated, amended, and passed this bill. Each Senator who voted against cloture thus bears individual, personal responsibility for the success of that filibuster. If a city is destroyed by a ballistic missile in the future, and if that city could have been saved if we had been able to pass this bill and deploy a missile defense system in time, then each Senator who could have given us the one additional vote we needed will bear personal responsibility for that failure to provide a defense. Only one vote was needed 4 months ago; only one Senator needs to switch his or her vote today to give us the three-fifths majority we need to beat the filibuster.

The technology already exists to build and deploy a national missile defense system, and that technology has been proven for so long that multiple systems of various types could have long since been deployed and been undergoing improvements for years. However, Democrats since the 1980s have fought to kill every development effort as it has neared deployment. They oppose protecting Americans from ballistic missile attack because deploying a defense system (depending on the type of system deployed) could violate the Anti-Ballistic Missile (ABM) Treaty. The Democrats' belief in the 1980s was that breaking that treaty with the Soviet Union would lead to a new nuclear arms race. The ABM Treaty was designed to complement the theory of Mutual Assured

(See other side)

Destruction (MAD), which held that neither the Soviet Union nor the United States would attack the other if it knew that the other side would then have enough remaining nuclear weapons to launch a massive counter-attack. A defense system could make the effectiveness of a counter-attack questionable unless even more nuclear weapons were made to overcome that system.

Though the Soviet Union has collapsed, our colleagues still fear a new nuclear arms race. Their fear is irrational, considering that Russia is now the United States' ally, it is destitute, and it wants to make huge cuts in its nuclear arsenal due to the cost of maintaining its current number of nuclear weapons. Further, our colleagues' fear is dangerous. During the Cold War, the danger to the United States of being attacked with just a small number of nuclear missiles, or even just one missile, was nearly non-existent. The only hostile country that could attack it with nuclear missiles was the Soviet Union, and the Soviet Union had very tight control over its arsenal. Now the danger of a small-scale nuclear attack is very real and it is growing exponentially. Russia's control over its nuclear arsenal is lessening, which has created the danger of an unauthorized or accidental launch of a ballistic nuclear missile. If such a missile were launched, the United States would be powerless to stop it. The threat of nuclear retaliation would be worthless, and any retaliation would be immoral. If, for instance, a Russian nuclear officer, despondent over personal problems, were to gain control over a ballistic missile and fire it at an American city, the United States clearly could not respond in kind. Further, numerous terrorist countries and groups are working feverishly to develop ballistic missiles and nuclear, biological, and chemical weapons of mass destruction. No threat of retaliation can be made against a terrorist group that does not itself control territory, and the threat of retaliation against terrorist nations, which frequently conduct genocidal wars against their own citizens, would be similarly ineffectual. In the modern world, the MAD theory, which mialauwarlwaysave ngned ld ck questiona,nal es clearagaane.m.

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SEPTEMBER 9, 1998

VOTE NO. 262

We went through all of the arguments against this plan on the previous vote just 4 months ago. We went through all of the evidence that shows that threats are growing at a rate much faster than predicted by the Clinton Administration, and we went through all of the evidence that shows our intelligence agencies have been unable to detect and monitor efforts to develop missiles and weapons of mass destruction (see vote No. 131). Considering that so little time has passed, one would expect that nothing new would have happened to further strengthen our arguments in favor of deploying a missile defense system. However, there are now numerous new reasons to support cloture. The speed at which countries that are extremely dangerous and extremely hostile to the United States have been developing ballistic missiles has continued to leap ahead of our intelligence and defense agencies' worst-case estimates. Events of the past few months include the testing by North Korea of a two-stage ballistic missile (which demonstrated that it has passed the last major technical hurdle in building intercontinental missiles that can strike the United States), the testing of a missile by Iran that can strike any target in the Middle East, and credible reports that the Clinton Administration has hindered efforts to inspect sites in Iraq at which United Nations' inspectors believe Iraq may be making weapons of mass destruction (the implication is that the Clinton Administration does not want to catch Iraq in the act because then the United States might have to do something about it). Making matters worse, Russia's fragile government has become even weaker due to yet another economic collapse. The Rumsfeld Commission, which Congress appointed to examine the ballistic missile threat, issued its report in July and came to two main conclusions: many nations that are hostile to the United States have the capability of developing ballistic missiles within 5 years that can target the United States; and the United States may "well have little or no warning" before a country deploys ballistic missiles. The Rumsfeld Commission was appointed on a bipartisan basis, and was comprised of national security experts from both parties. Its conclusions were unanimous.

We only need one Democrat to switch his or her vote in order to get cloture. Democrats have been given ample justification in just 4 months to switch. Fanatical regimes have conducted missile tests that they were supposedly not going to be technically able to conduct for years, Russia has deteriorated even more, and several well-respected national security experts from the Democratic party have concluded that the Clinton Administration is seriously underestimating both the emerging threats and the United States' ability to detect those threats before Americans' lives are at serious risk. Regimes around the world that are hostile to the United States have been making very rapid advances in ballistic missile development and in making weapons of mass destruction. There is absolutely no reason to believe that they will stop their efforts or that they will fail. The question is not whether countries like North Korea and Iraq will target nuclear missiles on the United States, but how soon they will. Our Democratic colleagues are under tremendous pressure to support their party's position against defending American civilians from ballistic missile attack, but we only need one more vote. Four Democratic Senators have already dared to oppose their party; we urge at least one more to show the same courage.

**Those opposing the motion to invoke cloture contended:**

Our colleagues have proposed this bill because they think that it will advance the national security interests of the United States. We sincerely believe that it will have the opposite effect. The question raised by this bill is not whether the United States should protect itself against threats, but how it should protect itself against threats. We feel that the proliferation of weapons of mass destruction is the single greatest danger that the United States faces, and that the largest part of that danger comes from Russia. We have a very solemn treaty commitment with Russia not to build an ABM system. That commitment has served as the starting point for all nuclear weapons reduction efforts that have occurred over the years. Neither the United States nor Russia would have been willing to reduce its nuclear arsenal if it knew that the other side was working on creating an effective ABM system. Like our colleagues, we are concerned about countries like Iran, Iraq, Libya, and North Korea developing the capability to strike the United States with chemical, nuclear, or biological missiles. For that reason, we support continued research, with the option of deploying a defense system within 3 years should the need arise. If the need arose, our preference would then be to negotiate a change to the ABM Treaty to allow the United States to make a limited missile defense system. The military and civilian leaders at the Pentagon assure us that this plan makes the most military sense. Certainly recent events have raised new concerns, but the judgment of the top brass still has not changed. In our estimation, the arguments have not changed, and in the military's estimation the situation has not changed. Given these two facts, the Senate is wasting its time by trying again to get cloture. Instead of voting on bills that are not going anywhere, the Senate should be spending its valuable time on "real work." For example, it should be passing bills to "stop the slaughter of our teenagers by Big Tobacco." This bill is not going anywhere. We urge our Democratic colleagues to stand together by voting against cloture on the motion to proceed.